

Application Serial No.: 09/286,530
Attorney Docket No.: 2C03.1-220
CIBA Docket No.: CL/V-31739/WEJ1239
PATENT

REMARKS

The Office Action mailed September 17, 2003, Paper No. 25, has been received and reviewed. By the present Response and Amendment, Claims 1, 16 and 40 are amended. No new matter has been introduced, support for the amendments being provided at page 2, line 28 through page 3, line 16; page 4, line 29 through page 5, line 5, and elsewhere in the specification.

Claim 40 is objected to due to informalities, which are believed to be addressed by the current amendments to this claim.

Claims 1, 2, 4-14, 40, 42, and 44-54 stand rejected under 35 U.S.C. §103 as allegedly obvious over U.S. Patent No. 6,158,862 to Patel et al, in view of U.S. Patent No. 5,252,262 to Patel, and further in view of U.S. Patent No. 5,074,942 to Kearns et al. Claims 15-17, 19-22, 43 and 55 stand rejected under 35 U.S.C. §103 as allegedly obvious in view of Patel et al, further in view of Kearns et al., and further in view of Patel, as applied, and still further in view of U.S. Patent No. 5,047,051 to Cumming. Claims 1, 2, 5, 7-14, 20, 22, 40, 42, and 44-53 stand rejected under 35 U.S.C. §103 as allegedly obvious over Kearns in view of Patel. Applicant respectfully traverses these grounds of rejection and requests reconsideration in view of the current amendments.

As presently amended, Claim 1 is directed to an intraocular lens with "both the optic and haptic portions comprising a **single casting** of the same biologically inert **transparent** material" Amended Claim 16 is directed to an intraocular lens "wherein the optic and the plate haptics comprise a **unitary molding** of the same substantially homogeneous biologically inert **transparent** material" And amended Claim 40 is directed to an intraocular lens having an optic and a haptic "being a **unitary molding** formed of a substantially homogenous **transparent** composition" Because (1) both the optic portion and the haptic portion of applicant's presently claimed IOL are molded as a unitary component of the same composition; and (2) because the optic portion of an IOL must be transparent in order for the IOL to serve its intended purpose, it follows that the haptic

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portion of the claimed IOL also comprises a transparent material, and would not include dyes or pigments.

The Examiner asserts that the art of record discloses coating the haptics of an IOL with polyimide for the purpose of preventing dye or pigment leakage from a colored haptic into the eye. But it is respectfully submitted that the art of record does not disclose or suggest an IOL that is unitarily molded of a transparent composition, including the haptic portions of the IOL, and having a polyimide coating applied to the haptics. And because the art of record only teaches the application of polyimide for the purpose of preventing dye leakage, there would be absolutely no motivation for one skilled in the art to apply a polyimide coating to a transparent haptic of an IOL. There clearly is no need to prevent dye leakage from a transparent haptic that does not contain any dyes. As such, and in view of the present amendments, the claimed invention would not have been obvious to one of ordinary skill in the art.

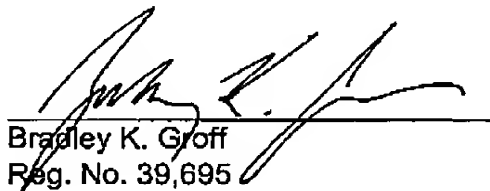
Accordingly, it is respectfully submitted that all grounds of rejection have been overcome.

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CONCLUSION

In view of the amendments submitted herein and the above comments, it is believed that all grounds of rejection are overcome and that the application has now been placed in full condition for allowance. Accordingly, Applicant earnestly solicits early and favorable action. Should there be any further questions or reservations, the Examiner is urged to telephone Applicant's undersigned attorney at (770) 984-2300.

Respectfully submitted,



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